

1 BILAL A. ESSAYLI  
2 United States Attorney  
3 DAVID M. HARRIS  
4 Assistant United States Attorney  
5 Chief, Civil Division  
6 JOANNE S. OSINOFF  
7 Assistant United States Attorney  
8 Chief, Complex and Defensive Litigation Section  
9 PAUL (BART) GREEN (Cal. Bar No. 300847)  
10 ALEXANDER L. FARRELL (Cal. Bar No. 335008)  
11 Assistant United States Attorneys  
12 Federal Building, Suite 7516  
13 300 North Los Angeles Street  
14 Los Angeles, California 90012  
15 Telephone: (213) 894-0805 / -5557  
16 Email: Paul.Green@usdoj.gov  
17 Alexander.Farrell@usdoj.gov

18 Attorneys for Defendants

19  
20 UNITED STATES DISTRICT COURT  
21 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
22

23 STUDENT DOE #2,

24 Plaintiff,

25 v.

26 KRISTI NOEM, in her official capacity  
27 as Secretary of Homeland Security, *et*  
28 *al.*,

Defendants.

No. 2:25-cv-02993-SPG-SSC

**DEFENDANTS' SUPPLEMENTAL  
NOTICE TO STUDENT DOE #2'S EX  
PARTE APPLICATION; SUGGESTION  
OF MOOTNESS**

Hearing Date: April 30, 2025

Hearing Time: 11:00 a.m.

Ctrm: First Street Courthouse  
350 West 1st Street  
Los Angeles, CA 90012

Honorable Sherilyn Peace Garnett  
United States District Judge

1           **DEFENDANTS' SUPPLEMENTAL NOTICE TO PLAINTIFF'S EX PARTE**  
2           **APPLICATION; SUGGESTION OF MOOTNESS**

3           Plaintiff—an unidentified student—complains that his information within a  
4           federal government database of international students at U.S. colleges and universities  
5           known as SEVIS was arbitrarily terminated by ICE. Through his *ex parte* application  
6           (Dkt. 19), Plaintiff asks this Court for the extraordinary exigent relief of issuing a TRO  
7           requiring Defendants to (1) restore his SEVIS record; and (2) not to take enforcement  
8           actions against him based on the terminated SEVIS status. The *ex parte* application  
9           should be denied. Furthermore, the lawsuit is moot and should be dismissed.

10          As the Court may already be aware through the press and through reviewing  
11       similar SEVIS cases, on April 25, 2025, the government announced that ICE was  
12       restoring the SEVIS records of international students that had been terminated. This  
13       reactivation includes students that filed lawsuits as plaintiffs and students who did not  
14       file lawsuits—i.e. ICE's reactivation of SEVIS records is independent of any particular  
15       civil litigation.

16          Specifically, ICE is developing a policy that will provide a framework for SEVIS  
17       record terminations. Until such a policy is issued, the SEVIS records for Plaintiff in this  
18       case (and similarly situated plaintiffs in similar cases) *will remain Active or shall be re-*  
19       *activated if not currently active and ICE will not modify the record solely based on the*  
20       *NCIC finding that resulted in the recent SEVIS record termination.*

21          The reactivation is being done as quickly as possible.

22          ICE still maintains the authority to terminate a SEVIS record for other reasons,  
23       such as if a student fails to maintain his or her nonimmigrant status after the record is  
24       reactivated or engages in other unlawful activity that would render him or her removable  
25       from the United States under the Immigration and Nationality Act (“INA”).

26          Accordingly, because there is no case or controversy at this juncture, Plaintiff's  
27       TRO application should be denied for failure to establish that exigent preliminary  
28       injunctive relief is required to redress a likelihood of irreparable harm.

1 Dated: April 25, 2025

Respectfully submitted,

2 BILAL A. ESSAYLI  
United States Attorney  
3 DAVID M. HARRIS  
Assistant United States Attorney  
4 Chief, Civil Division  
5 JOANNE S. OSINOFF  
Assistant United States Attorney  
6 Chief, Complex and Defensive Litigation Section

7 */s/ Alexander L. Farrell*  
8 PAUL (BART) GREEN  
9 ALEXANDER L. FARRELL  
Assistant United States Attorneys

10 Attorneys for Defendants

11 Certificate of Compliance with L.R. 11-6.2

12 The undersigned, counsel of record for the Defendants, certifies that this Notice  
13 contains 332 words and is 1 page, which complies with the word limit of L.R. 11-6.1 and  
14 the page limit of the Court's Standing Order.

16 Dated: April 25, 2025

17 */s/ Alexander L. Farrell*  
18 ALEXANDER L. FARRELL